

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

In re: PB LIFE AND ANNUITY
CO. LTD, et al,

Debtor in Foreign Proceeding.

UNIVERSAL LIFE INSURANCE
COMPANY,

Plaintiff-Appellee,

v.

GREG E. LINDBERG,
individually, et al.,

Defendants-Appellants.

Case No. 1:22-CV-05122

**LINDBERG DEFENDANTS' DESIGNATION OF RECORD
ON APPEAL AND STATEMENT OF ISSUES**

I. Designation of Items to be included in Record on Appeal

Greg Lindberg, Academy Financial Assets, LLC, Alpine Capital, LLC, Atlas Financial Investments, LLC, Augusta Asset Management, LLC, Capital Assets Management I, LLC¹, Capital Assets Management II, LLC, Capital Assets Management III, LLC, CSI Interco, LLC, Eli

¹ Lindberg Defendants assert that this entity appears to be misidentified in Plaintiff's First Amended Complaint.

Global, LLC, GBI Group, LLC, GBIG Capital, LLC, GBIG Holdings, LLC², Global Insurance Capital, LLC, Hampton Asset Management, LLC³, Iron City Asset Management, LLC⁴, Jackson Assets Management, LLC⁵, Kite Asset Management, LLC⁶, New England Capital, LLC, Parallel Capital Assets, LLC, Tybee Island Asset Management, LLC⁷, AGH Parent, LLC, ASiM Holdings, LLC, ASL Holdings, LLC, BLH Capital, LLC, Capital Assets Fund I, LLC, Capital Assets Fund II, LLC, Chatsworth Asset Management, LLC, Drummond Group, LLC, Dunhill Holdings, LLC, Englert Holdings, LLC, Flagship Holdings, LLC, Fortrex, LLC, Gilford Asset Management, LLC, Global Growth Holdings, Inc., Greenfield Capital, LLC, Healthlink Holdings, LLC, Integrity EMR Holdings, LLC, Integrity EMR, LLC, iTech Funding, LLC, Netherlands Insurance Holdings, Inc., NIH Capital, LLC, Sedwick, LLC, and UKAT Holdings, LLC (Lindberg Defendants), Defendants-Appellants, designate

² Lindberg Defendants assert that this entity is incorrectly identified as a corporation in Plaintiff's First Amended Complaint.

³ Lindberg Defendants assert that this entity is incorrectly identified as a corporation in Plaintiff's First Amended Complaint.

⁴ Lindberg Defendants assert that this entity is incorrectly identified as a corporation in Plaintiff's First Amended Complaint.

⁵ Lindberg Defendants assert that this entity is incorrectly identified as a corporation in Plaintiff's First Amended Complaint.

⁶ Lindberg Defendants assert that this entity is incorrectly identified as a corporation in Plaintiff's First Amended Complaint.

⁷ Lindberg Defendants assert that this entity is incorrectly identified as a corporation in Plaintiff's First Amended Complaint.

the following docket entries to be preserved in the record for appeal from the district court to Second Circuit Court of Appeals:

- Dkt. No. 1
- Dkt. No. 14
- Dkt. No. 65
- Dkt. No. 68
- Dkt. No. 71
- Dkt. No. 75
- Dkt. No. 80
- Dkt. No. 84
- Dkt. No. 99
- Dkt. No. 111
- Dkt. No. 116
- Dkt. No. 123
- Dkt. No. 130
- Dkt. No. 131
- Dkt. No. 149
- Dkt. No. 151

- Dkt. No. 159
- Dkt. No. 163
- Dkt. No. 165
- Dkt. No. 166
- Dkt. No. 168
- Dkt. No. 169
- Dkt. No. 171
- Dkt. No. 172
- Dkt. No. 173
- Dkt. No. 175
- Dkt. No. 181
- Dkt. No. 182
- Dkt. No. 183
- Dkt. No. 184
- Certified copy of the docket entries prepared by the clerk under FRAP 3(d).

These documents are included in Appendix or Supplemental Appendix filed with the district court.

II. Statement of Issues to be Presented

Did the district court reversibly err by reversing the bankruptcy court's order and judgment dismissing this adversary proceeding for lack of 28 U.S.C. § 1334(b) related to jurisdiction?

This the 13th day of September, 2023.

**CONDON TOBIN SLADEK
THORNTON NERENBERG, PLLC**

By: /s/ William G. Whitehill

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Attorneys for Lindberg Defendants

CERTIFICATE OF SERVICE

I hereby certify that I electronically filed the foregoing with the clerk of Court using the CM/ECF system which will send electronic notification of such filing to all other parties who have filed a notice of appearance.

Dated: September 13, 2023

/s/ William G. Whitehill
William G. Whitehill